

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN RE TESLA, INC. SECURITIES  
LITIGATION

Case No. [18-cv-04865-EMC](#)

**ORDER DIRECTING PLAINTIFF TO  
RESPOND TO DEFENDANTS'  
EMERGENCY MOTION TO COMPEL  
SUPPLEMENTAL EXPERT REPORTS  
AND DEPOSITIONS**

Docket No. 515

Defendants have filed an emergency motion to compel supplemental expert reports and depositions from two of Plaintiff's experts. *See* Docket No. 515. To the extent that Plaintiff seeks to change a legal theory with respect to but-for pricing with less than a month before trial well after the expert disclosure deadline, Plaintiff shall explain, *inter alia*, why such amendment is not barred by Rule 16. Further, with respect to the use of actual market data for options pricing, as opposed to the theoretical prices discussed at the last hearing, Plaintiff shall explain why it should not be required to provide discovery and file a supplemental report thereon in advance of trial. Plaintiff is hereby **ORDERED** to file a response to Defendants' motion by **12:00 Noon on December 22, 2022**.

**IT IS SO ORDERED.**

Dated: December 21, 2022

  
EDWARD M. CHEN  
United States District Judge